

REQUEST FORM FOR DIVISIONAL
APPLICATION UNDER 35 U.S.C. 121

22857 U.S.PTO
10/775135



13281 U.S.PTO
021104

DOCKET NUMBER: 87280.1771

Prior Application: U.S. Serial No. 10/021,048
Art Unit: (Unassigned)
Examiner: (Unassigned)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for filing a divisional application, entitled COOLING TOWER METHOD AND APPARATUS, under 35 U.S.C. 121 of pending prior Application Serial No. 10/020,957, filed on December 19, 2001, entitled COOLING TOWER METHOD AND APPARATUS, by the following named inventor(s):

| INVENTOR | RESIDENCE | CITIZENSHIP | POST OFFICE ADDRESS |
|----------------------|-------------------|-------------|---|
| Ohler L. Kinney, Jr. | Overland Park, KS | U.S. | 5255 West 121st Street Overland Park, KS 66209 |
| Robert S. Glauz | Lees Summit, MO | U.S. | 2803 NW Chipman Road Lees Summit, MO 64081 |
| Brian F. Wright | Merriam, KS | U.S. | 5510 Perry Lane Merriam, KS 66203 |
| Kathryn L. Pullen | Lenexa, KS | U.S. | 13303 W. 82nd Street Lenexa, KS 66215 |
| Eldon F. Mockry | Lenexa, KS | U.S. | 12816 West 100th Street Lenexa, KS 66215 |

1. I hereby verify, to the best of my knowledge, that the enclosed copy of this prior application is a true copy of the above-identified prior application.
2. 32 pages comprised of 1 cover sheet, 23 pages of specification, 7 pages of claims, and 1 page of abstract; and
- 2a. 9 sheets of drawings.
3. Preliminary Amendment is enclosed.
- 3a. An Information Disclosure Statement and PTO1449 Form are submitted herewith. Copies of the cited references can be found in parent Application Serial No. 10/020,957.
4. The filing fee is calculated on the basis of the claims existing in the prior application as amended in the Preliminary Amendment attached hereto:

| | No. of Claims | | Extra Claims | Rate | Fee |
|--|---------------|----------|--------------|---------|----------|
| Total Claims | 7 | Minus 20 | 0 | x \$18= | \$ 0.00 |
| Independent Claims | 2 | Minus 3 | 0 | x \$86= | \$ 0.00 |
| Basic Application Fee | | | | | \$770.00 |
| If multiple dependent claims are presented, add \$280.00 | | | | | \$ 0.00 |
| Total Application Fee | | | | | \$770.00 |
| Subtract ½ if small entity | | | | | \$ 0.00 |
| TOTAL APPLICATION FEE DUE | | | | | \$770.00 |
| AMOUNT TO BE CHARGED TO DEPOSIT ACCOUNT 50-0436 | | | | | \$ 0.00 |

4a. [] Enclosed is a Verified Statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27.

4b. [] A verified Statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27 was filed in prior application and such status is still proper and desired.

5. [X] The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 which may be required, including any extension of time fees to maintain the pendency of the parent application Serial No. 10/020,957 or credit any over payment to Deposit Account No. 50-2036.

6. [] Priority of United States Provisional Application Number , filed , and , filed designating the U.S.

7. [X] This application is assigned to Marley Cooling Technologies, Inc. and an assignment is herewith enclosed.

8. [X] The power of attorney in the application is to:

**Baker & Hostetler LLP
Washington Square, Suite 1100
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036
Tel. 202 861 1500
Fax 202 861 1783**

9. [X] Also enclosed: Assignment and Transmittal and Name Change and Transmittal.

10. A petition, fee and response has been filed to extend the term in the pending application until .
11. Address all future communications to: (May only be completed by applicant, or attorney or agent of record)

**Baker & Hostetler LLP
Washington Square, Suite 1100
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036
Tel. 202 861 1500
Fax 202 861 1783**

12. The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-2036. A duplicate copy is enclosed.
 Any additional filing fees required under 37 CFR 1.16.
13. A check in the amount of \$810.00 is attached.

Respectfully Submitted,

BAKER & HOSTETLER LLP



Stephen S. Fabry
Registration No. 51,661

Date: 2/11/04
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